

400 KAR 2:060. Definitions.

RELATES TO: KRS 146.410 - 146.530

STATUTORY AUTHORITY: KRS 146.485

NECESSITY, FUNCTION, AND CONFORMITY: KRS 146.485 requires the Office of Kentucky Nature Preserves to develop administrative regulations for the selection, acquisition, management, protection and use of natural areas and nature preserves, and for the conduct of office affairs. This administrative regulation provides for the defining of certain essential terms used in 400 KAR 2:060 through 400 KAR 2:100.

Section 1. (1) "Act" means the enabling legislation of the Office of Kentucky Nature Preserves, KRS 146.410 through 146.530.

(2) "Advisor" means any individual selected by the office to serve in an advisory capacity to the office pursuant to KRS 146.435.

(3) "Articles of dedication" means the writing by which any estate, interest, or right in a natural area and buffer area is formally dedicated as provided in KRS 146.410 to 146.530;

(4) "Board" means the Kentucky Heritage Land Conservation Fund Board.

(5) "Cabinet" means the Energy and Environment Cabinet.

(6) "Custodian" means a person, organization, agency, or institution selected by the office to serve as the managing agent for a nature preserve.

(7) "Director" means the executive director of the Office of Kentucky Nature Preserves.

(8) "Inventory of natural types, flora and fauna" means a database of flora and fauna occurring in Kentucky, and of natural types and ecological communities identified by the office to be monitored for the purpose of comply with the provisions of the Act.

(9) "Natural area" means an area of land, water, or both land and water, in public or private ownership, which either retains or has reestablished to some degree, its natural character (though not necessarily completely) or that has natural flora, fauna, biological, ecological, geological, scenic, or archaeological features of scientific, aesthetic, cultural, or educational interest.

(10) "Nature preserve" means a natural area and land necessary for the natural area's protection, including an estate, interest, or right that has been formerly dedicated pursuant to KRS 146.410 through 146.530 to be maintained as nearly as possible in its natural condition and to be used in a manner and under limitations consistent with its continued preservation, without impairment, disturbance, or artificial development, for the public purposes of present and future scientific research, education, aesthetic enjoyment, and habitat for plant and animal species and other natural objects.

(11) "Register of natural areas" means the list of those natural areas worthy of preservation in accordance with KRS 146.460, but not available or desirable for dedication. Terrestrial natural areas are only registered with the consent of the landowner. Stream segments are registered upon determination by the office.

(12) "Secretary" means the Secretary of the Energy and Environment Cabinet. (13 Ky.R. 1318; eff. 2-10-1987; 45 Ky.R. 1770, 2599; eff. 4-5-2019.)